

**DETERMINATION AND FINDINGS  
FOR A  
SOLE SOURCE PROCUREMENT**

**CONTRACT NO:** DCKA-2015-C-0022

**CAPTION:** Peer Review of Operational Readiness - Fees and Expenses

**PROPOSED CONTRACTOR:** American Public Transportation Association (APTA)

**PROGRAM AGENCY:** District Department of Transportation (DDOT)

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700 and 1701

**2. MINIMUM NEED:**

The Government of the District of Columbia, District Department of Transportation (District) has an immediate need to enter into a contract to reimburse fees and expenses in connection with a Peer Review of the operational readiness of the DC Streetcar Program.

**3. ESTIMATED FAIR AND REASONABLE PRICE:**

\$15,000.00 (not-to-exceed)

**4. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:**

- (a) The District is a member of the American Public Transportation Association (APTA), a professional association comprised of public and private organizations engaged in bus, paratransit, light rail, commuter rail, subways, waterborne passenger services, and high-speed rail operations. The District's membership entitles it to request a Peer Review performed by a team of transit industry professionals from various transportation-related disciplines selected by APTA. In the District's case, that team will be asked to perform a review of specific operational readiness matters identified by the District, and make specific recommendations based on that review, with staff support and overall direction and coordination from APTA.
- (b) The professionals that comprise the team recruited by APTA do not charge APTA members for their services, as obtaining a Peer Review is a membership benefit. The direct costs of the on-site review (*e.g.*, travel, lodging per diem expenses for food) are paid for by APTA, which in turn is reimbursed by the member jurisdiction when the review is complete. In addition, APTA charges a \$7,000 administrative fee to cover the costs of managing and coordinating the Peer Review, overseeing the work of the on-site team, and participating in the promulgation of any reports, analyses and recommendations to the member jurisdiction.
- (c) As the reimbursement of expenses and payment of the administrative fee are by definition part of the membership benefit with APTA, the District must enter into a sole source contract for the fee and expenses, as there is no other organization that can satisfy the District's need.

(d) A market survey was not conducted, given the circumstances described above.

**5. CERTIFICATION BY AGENCY HEAD:**

I hereby certify that the above findings are true, correct and complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leif Dormsjo  
Acting Director

**6. CERTIFICATION BY CONTRACTING OFFICER:**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because \_\_\_\_\_]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Courtney B. Lattimore  
Contracting Officer

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William Teague  
Chief Contracting Officer